



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

APR 29 2014

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-133

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION**

Mr. Ken Tippet  
Fleet Manager  
Coastal Villages Longline, LLC  
5470 Shilshole Avenue NW, Suite 400  
Seattle, Washington 98107

Mr. Frank Vargas  
Fleet and Regulatory Manager  
American Seafoods Company, LLC  
2025 First Avenue, Suite 900  
Seattle, Washington 98121

Re: F/V Deep Pacific  
NPDES Permit Numbers AKG524018 and AKG520232

Dear Mr. Tippet and Mr. Vargas:

Effective March 1, 2010, the U.S. Environmental Protection Agency (EPA) covered Coastal Villages Longline, LLC, F/V Deep Pacific (Vessel), under the General NPDES Permit for *Offshore Seafood Processors NPDES General Permit* (Offshore Permit); with unique identifier #AKG524018. Prior to that time, EPA covered the Vessel under the *Seafood Processors in Alaska General Permit* (Alaska Permit), with unique identifier #AKG520232. According to Frank Vargas' February 13, 2013 letter, American Seafoods Company, LLC, operated the Vessel until December 31, 2012, and Coastal Villages Longline, LLC, has been operating the Vessel since January 1, 2013. The purpose of this letter is to notify you of violations that EPA discovered from a review of administrative records and an inspection conducted on November 22, 2013. The purpose of the inspection was to determine the Vessel's compliance with the requirements of the Clean Water Act (CWA) and the Permits.

**OFFSHORE PERMIT VIOLATIONS**

- 1) Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit require the permittee to conduct quarterly metals' sampling for at least two years starting the third quarter after receiving authorization to discharge. The Vessel had authorization to discharge beginning March 1, 2010, thus quarterly metals' sampling was required starting the third quarter of 2010. Neither company had copies of the Discharge Monitoring Reports (DMRs) for the third quarters of 2010 and 2011. Failure to conduct metals' sampling during the third quarters of 2010 and 2011 are violations of Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit.
- 2) Section VII.C.16 of the Offshore Permit requires the permittee to monitor according to test procedures approved in EPA's NPDES regulations at 40 CFR 136. The lab report accompanying the DMR for the Fourth Quarter of 2010 states that the allowed holding time for mercury analysis was exceeded. This is a violation of the Section VII.C.16 of the Offshore Permit.

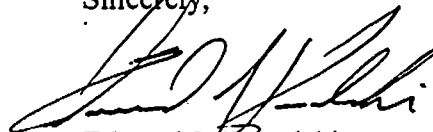
- 3) Section VII.B of the Offshore Permit states that metals monitoring must be summarized and submitted to EPA by February 14<sup>th</sup> of the following year. The DMRs for the fourth quarters of 2010 and 2011 were respectively signed and dated, March 24, 2011 and March 8, 2012. Submitting a metal monitoring summary later than February 14<sup>th</sup> of the following year is a violation of Section VII.B of the Offshore Permit.
- 4) Section V.A.4 of the Offshore Permit states that the waste conveyance must be inspected daily, and logs of those inspections kept. An EPA inspector noted that the 2013 waste conveyance log from February 26 to March 23 contained the Vessel's coordinates rather than the condition of the waste conveyance system. Failure to keep logs of the condition of the waste conveyance system is a violation of Sections V.A.4 of the Offshore Permit for each day of operation/discharge. The 2013 Annual Report states that the Vessel discharged 26 days during that period.

#### ALASKA PERMIT VIOLATIONS

- 1) Sections V.A.1.d and V.A.1.e of the Alaska Permit state that the waste conveyance and grinder systems must be inspected daily, and logs of those inspections kept. Section V.A.1.f of the Alaska Permit states that pre-operational checks of outfall must occur before each processing season, and logs of those inspections kept. At the time of the inspection, neither of your companies were able to provide past monitoring records or daily logs for processing that occurred in 2009 and January and February of 2010. Failure to monitor the waste conveyance and grinder systems daily and/or keep logs of these monitoring activities are violations of Sections V.A.1.d and V.A.1.e of the Alaska Permit for each day of operation/discharge. The 2009 and 2010 Annual Reports state that the Vessel discharged 170 days in 2009 and 49 days in January and February of 2010. Moreover, not conducting a pre-operational check of the outfall and keeping a log of that inspection is a violation of Section V.A.1.f of the Alaska Permit. In the alternative, Section VII.B of the Alaska Permit requires that a permittee retain all monitoring records for a period of at least five years from the sampling date. Not retaining monitoring records for at least five years would be a violation of Section VII.B of the Alaska Permit.

Although EPA's goal is to ensure NPDES facilities comply fully with their Permits, the ultimate responsibility rests with the operator of the Vessel. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations. Should you have any questions regarding this letter, please feel free to contact Chris Gebhardt, Compliance Officer, at (206) 553-0253.

Sincerely,



Edward J. Kowalski  
Director

cc: Sharon Morgan  
Alaska Department of Environmental Conservation